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July 8, 2025

VIA ECF

Hon. Sanket J. Bulsara
United States District Judge
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

Re: *Fischer, et al. v. Government Employees Insurance Company*
Case No. 2:23-CV-02848 (SJB) (SLT)

Dear Judge Bulsara:

The parties jointly submit this letter pursuant to Your Honor's July 1, 2025 Minute Entry and Text Order to provide the Court with an update regarding (i) whether the parties intend to file *Daubert* motions relating to expert testimony filed in connection with Plaintiffs' motion for class certification (*see* ECF Nos. 98-64, 98-142 for Declarations of Plaintiffs' expert Catherine O'Neil; *see* ECF No. 98-132 for Declaration of GEICO's expert Matthew Thompson), and (ii) whether GEICO intends to file a motion for summary judgment. This joint status letter incorporates the positions of both parties, and GEICO submits this letter with Plaintiffs' consent.

For the reasons discussed in GEICO's letter request for leave to file a *Daubert* motion and during the July 1, 2025 hearing, GEICO intends to proceed with filing a *Daubert* motion and a motion for summary judgment at this time. Plaintiffs confirmed that they will not be filing a *Daubert* motion at this time.

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The parties have conferred and propose the following briefing schedule for GEICO's *Daubert* motion:

- Defendant's *Daubert* motion due by: July 23, 2025
- Plaintiff's Response in Opposition due by: August 13, 2025
- Defendant's Reply in Support of *Daubert* motion due by: August 27, 2025

The parties have conferred and propose the following briefing schedule for GEICO's motion for summary judgment:

- Defendant's Motion for Summary Judgment due by: August 8, 2025
- Plaintiffs' Response in Opposition due by: September 12, 2025
- Defendant's Reply in Support of Motion for Summary Judgment due by: October 10, 2025

We thank the Court for its attention to this matter.

Respectfully submitted,

DUANE MORRIS LLP

/s/ Gerald L. Maatman, Jr.

Gerald L. Maatman, Jr.
Partner

GLM

cc: All Counsel of Record (via ECF)